



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,468	04/20/2006	Katsumi Yabusaki	287117US0PCT	7180
22850	7590	02/14/2008	EXAMINER	
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.			ISSAC, ROY P	
1940 DUKE STREET			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22314			1623	
			NOTIFICATION DATE	DELIVERY MODE
			02/14/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Advisory Action

This is in response to applicants' amendments, filed 1/16/08, wherein claims 1-4, and 8-18 were amended to replace the recitation "phosphate of cellulose II" with the phrase "cellulose II phosphate" and arguments submitted therewith. Applicants amendments submitted 1/16/08 will be entered.

Rejections Withdrawn

Applicants' amendment to claims replacing the phrase "phosphate of cellulose II" with "cellulose II phosphate" overcomes the rejection of claims 1-18 under section 112, first paragraph.

Applicants' amendment to claims replacing the phrase "phosphate of cellulose II" with "cellulose II phosphate" overcomes the rejection of claims 1-18 under section 112, second paragraph.

The rejection of claims 1-18 under section 112, second paragraph in regards to the recitation "may be carbamated" is withdrawn since the recitation is considered as an optional step.

11. Applicants' arguments regarding the statements of admission were fully considered and found persuasive since applicants' statements were made in reference to enablement rejections and were not an admission of prior. However, the rejection under section 103(a) is maintained since carbamation is not required. The rejection under section 103(a) is maintained for the reasons of record. Applicants argue that there is no foreseeability of the metal adsorption properties obtainable by replacing

cellulose I with cellulose II. However, there is a limited number of well recognized polymorphs of cellulose (Cellulose I-IV), and Cellulose II is among the most widely used polymorphs of cellulose. As such, one of ordinary skill in the art would have had used cellulose II in place of cellulose I to achieve beneficial effects arriving at the instant invention. Such changes are considered within the routine skills of one of ordinary skill in the art, and amounts to nothing more than optimization of the invention disclosed in Pieschel's by changing one ingredient for another well known ingredient. Thus, the claim would have been obvious because the substitution of one known element for another would have yielded predictable results to one of ordinary skill in the art at the time of the invention. The rejection under section 103(a) is still deemed proper and is adhered to.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roy P. Issac whose telephone number is 571-272-2674. The examiner can normally be reached on 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shaojia Anna Jiang can be reached on 571-272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Roy P. Issac
Patent Examiner
Art Unit 1623

S. Anna Jiang, Ph.D.
Supervisory Patent Examiner
Art Unit 1623

/Shaojia Anna Jiang/
Supervisory Patent Examiner, Art Unit 1623